

Amendment No. 1 to SB1505

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 1505

House Bill No. 1471*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "JaJuan Latham Act".

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is amended by adding the following as a new subdivision (e)(4):

(4) Notwithstanding this subsection (e), a person convicted of a violation of subdivision (a)(1)(A)(i), (a)(1)(A)(ii), (a)(1)(B)(i), or (a)(1)(B)(ii) shall be punished one (1) classification higher than is otherwise provided if:

(A) The violation was committed by discharging a firearm from within a motor vehicle, as defined by § 55-1-103; and

(B) The victim was a minor at the time of the violation.

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 13, Part 2, is amended by adding the following new section:

(a) Notwithstanding title 40, chapter 35, a person convicted of a violation of § 39-13-210, under the circumstances described in subsection (c), shall be punished from within one (1) range higher than the sentencing range otherwise appropriate for the person; in no case shall the person be sentenced from within a range lower than Range II.

(b) Notwithstanding this part, a person convicted of a violation of § 39-13-211, § 39-13-212, or § 39-13-215 shall be punished one (1) classification higher than is otherwise provided if the violation occurred as provided in subsection (c).

(c) This section shall apply if:

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(1) The violation was committed by discharging a firearm from within a motor vehicle, as defined by § 55-1-103; and

(2) The victim was a minor at the time of the violation.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.